

REMARKS

Entry of the amendments is respectfully requested. Claims 19, 27, 36, 38 and 39 have been amended. Claims 19-22, 24, 25, 27 and 36-39 are pending in the application. Favorable reconsideration and allowance of this application is respectfully requested in light of the foregoing amendments and the remarks that follow.

1. Objection to the Drawings and Amendments to the Specification

The drawings are objected to for failing to comply with 37 CFR 1.84(p)(5) for failure to include reference numeral "27". The objections have been addressed as follows.

In the specification, paragraph starting at page 9, line 6 has been amended to include reference numeral "27" and no new matter has been added.

In light of the amendments to the specification, withdrawal of the objection to the drawings is requested.

2. Objection to the Specification

The specification is objected to on several grounds. The Examiner's careful review of the specification is noted with appreciation. The last three sentences of the paragraph starting at page 8, line 5 have been deleted. Regarding the features added to Figure 4, Applicant directs the Examiner to the two paragraphs starting on page 8, line 21 and ending on page 9, line 19. Support for the amendment to Figure 4 is provided therein. Specifically, the specification states that "the operator can engage actuator 28 by a squeezing action. This squeezing action or motion is preferably translated, by connecting pin 42 and/or biasing member 38, to a linear force that acts on sliding plate 36." Withdrawal of the objection is therefore requested.

3. Rejection Under §112, First Paragraph

Claims 19-22, 24, 25, 27, 38 and 39 stand rejected under 35 U.S.C. §112, ¶1 as not being enabled. The Examiner indicated that the "mounting structure" element was not found in the specification. Applicant has amended Claims 19, 36, 38, and 39, specifically the "mounting

structure" limitation has been removed. Applicant traverses the Examiner's assertion that the last sentence of the paragraph bridging pages 7 and 8 is not supported by the specification. Applicant directs the Examiner to Figures 4 and 5, wherein the mounting surface is clearly visible.

In light of the claim amendments and remarks, withdrawal of these rejections are requested.

5. Rejection of Claims 19-22, 24, 25, 27, 38 and 39 Under § 102(b)

Claims 19-22, 24, 25, 27, 38 and 39 stand rejected under § 102(b) as being anticipated by Brening (U.S. Patent No. 957,409) and Ridgely (U.S. Patent No. 909,227). The Applicants respectfully traverse these rejections as they may be applied to amended claims 19, 36, 38 and 39 because, as is discussed below, the references do not disclose each and every element of amended claims 19, 36, 38 and 39. Therefore, reconsideration is in order and is respectfully requested.

Claim 19 has been amended to recite a rotary trimmer that requires a blade carriage, an integral blade-guard assembly having one or more cutting blades secured to a blade guard, and a blade-guard assembly fastener for removably connecting the assembly to the blade carriage. The trimmer also requires the blade guard to at least substantially cover the cutting blade. The trimmer also requires the blade guard assembly to be configured to provide a protective barrier for safe and efficient removal or connection of the one or more cutting blades with respect to the blade carriage.

a. Rejection Based on Brening

Brening discloses a paper cutter that has a casing *a* for a disk *b*, and a supporting frame *a²*. The Examiner simultaneously asserts that the supporting frame *a²* and the flange *a8* correspond to the blade carriage as claimed. Neither the supporting frame *a²* nor the flange *a8* remotely function the same as the blade carriage. Furthermore, neither the supporting frame *a²* nor the flange *a8* have remotely the same structure as the blade carriage claimed. Additionally, the supporting frame *a²* does not correspond to the blade carriage of amended claim 19 because it does not have a mounting structure situated thereon that receives one or more cutting blades, as amended claim 19 requires.

Furthermore, it cannot be said that the casing α corresponds to the blade guard of amended claims 19, 36, 38 and 39 and the supporting frame α^2 corresponds to the carriage of claim 19, 36, 38 and 39 because the supporting frame α^2 is not connected to the disk b to form an integral blade-guard assembly. Furthermore, no other parts of the Brening paper cutter correspond to the blade carriage and guard of amended claims 19, 36, 38 and 39. Thus, Brening fails to disclose all of the limitations of amended claims 19, 36, 38 and 39.

b. Rejection Based on Ridgely

The Examiner simultaneously contends that in Ridgely, a gage 1 and the combination of plate 7, central portion 10, and region 11, correspond to the blade carriage as claimed. However, claims 19, 36, 38 and 39 has been amended to require that the blade carriage has a fastener for removably connecting the blade-guard assembly to the blade carriage. As such, gage 1 of Ridgely does not correspond to the blade carriage of claims 19, 36, 38 and 39. Moreover, vertical portion 13 of casing can not be considered to be the blade carriage of amended claim 19 because the trimmer of Ridgely lacks a guard that forms an integral blade guard assembly that can be removed from the vertical portion 13 of casing. In addition, no other structures in the Ridgely trimmer correspond to the blade carriage and guard of amended claims 19, 36, 38 and 39. Accordingly, Ridgely does not disclose each and every element of amended claim 19. Applicant traverses the Examiners duplicitous assignment of elements with respect to the present invention and hereby asserts that a *prima facie* 102(b) rejection has not been presented.

d. Summary

None of the cited references discloses each and every element of amended claims 19, 36, 38 and 39. Dependent claims 20-22, 24, 25, 27 and 37 are believed to be in condition for allowance for incorporating by reference the limitations of claims 19 and 36, respectively, and for defining additional features of the invention, which, when considered in combination with those of claims 19 and 36 respectively, are not disclosed by the prior art relied upon in the rejection.

In light of the amendment to claims 19, 27, 36, 38 and 39 and the foregoing arguments, withdrawal of the rejection of claims 19-22, 24, 25, 27, 38 and 39 under § 102 is requested.

CONCLUSION

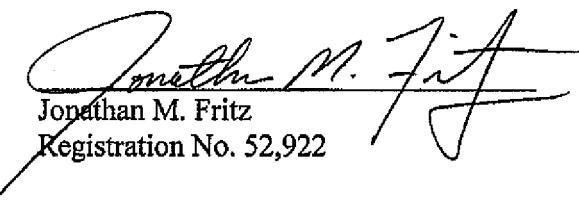
It is submitted that original claims 19-22, 24, 25, 27, 38 and 39 are in compliance with 35 U.S.C. §§ 112 and 102 and each define patentable subject matter. A Notice of Allowance is therefore respectfully requested.

Applicant believes that a 3 month extension fee and a fee associated with the request for continued examination, including the fee required under 37 CFR 1.17(e), is due and authorizes payment of such fees from Deposit Account No. 23-2053. Should the Examiner consider any other fees to be payable in conjunction with this or any future communication, the Director is authorized to direct payment of such fees, or credit any overpayment to Deposit Account No. 23-2053.

The Examiner is invited to contact the undersigned by telephone if it would help expedite matters.

Dated this 1st day of October, 2007.

Respectfully submitted,



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